

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**BAYER INTELLECTUAL
PROPERTY GMBH, et al.,**

Plaintiffs,

v.

**AUROBINDO PHARMA
LIMITED, et al.,**

Defendants.

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CIVIL ACTION

NO. 15-902

ORDER

AND NOW, this 13th day of July, 2018 following a four-day bench trial and upon consideration of the evidence of record including the parties' proposed findings of fact and conclusions of law and post-trial briefings, the Court hereby enters the following judgment in the above-referenced matter with respect to U.S. Patent No. 7,157,456 ("the '456 patent"):

1. The drug product that is the subject of Defendant Mylan Pharmaceuticals Inc.'s ("Mylan") Abbreviated New Drug Application ("ANDA") No. 208561 (including any amendments or supplements thereto) infringes claim 16 of the '456 patent.
2. The drug product that is the subject of Defendant Sigmapharm Laboratories, LLC's ("Sigmapharm") ANDA No. 208546 (including any amendments or supplements thereto) infringes claim 16 of the '456 patent.
3. Claim 16 of the '456 patent is not invalid due to obviousness.

4. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any Food and Drug Administration approval of Mylan's ANDA No. 208561 and Sigmapharm's ANDA No. 208546 shall be a date not earlier than the expiration of the '456 patent (August 28, 2024), as well as any applicable extensions and exclusivities.
5. Judgment is hereby entered:
 - a. In favor of Plaintiffs Bayer Intellectual Property GmbH, Bayer Pharma AG, and Janssen Pharmaceuticals, Inc. ("Plaintiffs") and against Mylan and Sigmapharm on Plaintiffs' claims of infringement of claim 16 of the '456 patent; and
 - b. In favor of Plaintiffs and against Sigmapharm on Sigmapharm's counterclaim seeking a declaratory judgment of invalidity with respect to the '456 patent.

BY THE COURT:

/s/ *Lawrence F. Stengel*
LAWRENCE F. STENGEL, C.J.